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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/815,313	03/22/2001	Thomas Alexander Aber	END9 0175 US1	4658

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EXAMINER

KRAMER, JAMES A

ART UNIT	PAPER NUMBER
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3627

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/815,313

Applicant(s)

ABER ET AL.

Examiner

James A. Kramer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 10-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 10-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7 and 9-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maners in view of Virgin et al, and further in view of Cukor et al.

Maners teaches a remote electronic invoice entry and validation system and method. Maners teaches that a generating a purchase order before receiving an invoice (see column 5, lines 44-46). Examiner further references the background section for a description of the typical transaction process. Based on these teachings, Examiner asserts that Maners teaches receiving a requisition at an enterprise accounting and catalo system (MicroEDI server), preparing a purchase order and submitting the purchase order as an EDI message.

Maners further teaches receiving an invoice from a vendor as an electronic invoice (see column 5, lines 40-58).

Examiner notes however, that Maners teaches when an invoice associated with a purchase order is received it is automatically approved. As such Maners fails to teach communicating by e-mail an invoice confirmation request to the individual who created the original order. Maners further fails to teach when a user logs on displaying a list of invoice awaiting confirmation.

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Virgin et al. teaches a system and method for collecting invoices, including a central invoicing system that includes approval rules logic allowing a company to define who in an organization is authorized to approve certain invoices (see column 10, lines 32-53). Examiner notes that this ensures that only the appropriate people in the payer's organization approve the payment of an invoice (see column 2, lines 46-49). Virgin et al. further teaches the user receiving an email notification (column 13, lines 25-30) and when the user log in, the system automatically retrieves invoices which require the user's authorization (column 11, lines 16-26).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the MicroEDI server of Maners to include approval rules logic that requires the approval of the individual that created the original order as taught by Virgin et al. It further would have been obvious to modify the MicroEDI server of Maners to include email notification and automatic retrieval of invoices which require a particular user's authorization as taught by Virgin et al.

One of ordinary skill in the art would have been motivated to modify the reference in order to ensure proper approval prior to payment of the invoice as taught by Virgin et al. Examiner notes that this represents positive confirmation of the invoice.

Examiner notes that Maners does not teach a search interface for displaying invoices that match a search criteria.

Virgin et al. teaches a database query program for the retrieval of data from the database in a structured query language (see column 13, lines 5-9). Examiner notes that this represents a search interface.

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It would have been obvious to one of ordinary skill in the art at the time of the invention modify the MicroEDI server of Maners to include a database query program as taught by Virgin et al. One of ordinary skill in the art would have been motivated to modify the reference in order to allow a user to extract particular invoice data from the database (see Virgin et al. column 13, lines 1-5).

Examiner notes that the combination of Maners in view of Virgin et al. fails to teach receiving paper copies of invoices, scanning the paper copies and storing the invoice image in an image store.

Cukor, as stated in previous Office Actions teaches a system and method of processing document images. In particular, when a paper document is received it is scanned by a remote station and saved to an image file server. A microcomputer serves as a controller for the scanner and provides a data file by which transaction-related information is associated with the captured images (column 6; lines 33-36).

Cukor further teaches, in a situation where a company already has a fully operational and satisfactory computer-based system for invoicing, which includes data files containing transaction related information, associating a separate image file server to these files (column 8; lines 5-30).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the MicroEDI application of Maners by including the invoice scanning and file server of Cukor and associating it with the electronic invoice information of Manners in order to allow a vendor with out Internet or computer access to submit invoice to the company and have the company process them electronically.

Examiner notes that the combination of Maners in view of Virgin et al. in further view of Cukor et al. does not teach providing an image data of an invoice with the same look as the paper version.

The common knowledge or well-known in the art statement made by the Examiner in the Office Action mailed 1/14/04 is taken to be admitted prior art because applicant either failed to traverse the examiner's assertion of Official Notice or the traverse was inadequate (MPEP2144.03(C)). Examiner further supports this position by the teaching of Kolling et al. noted in the Office Action mailed 1/12/05: It is therefore admitted as Prior Art for software developers to develop electronic forms that look and feel just like their paper counterparts in order provide the end user with a system they are already familiar with.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Maners in view of Virgin et al. in further view of Cukor et al. so that the invoice image presented to the authorizing user looked and felt just like a paper version in order to provide the authorizing users with a system they are already familiar with.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Response to Arguments

Applicant's arguments filed 9/20/05 have been fully considered but they are not persuasive.

Applicant's arguments start on page 18 of the amendment filed 9/20/05. Pages 18-20 discuss the references individually. Examiner believes the record is clear with respect to what each reference teaches individually and what each reference is missing as set forth the rejection above and in the previous Office Action.

On page 21 Applicant asserts that the combination of Cukor, Maners and Virgin fails to teach that both negative and positive confirmation process are implemented by an end user who receives a commodity or service for which he/she is the original requestor.

First Examiner notes that independent claim one notes that the invoice is "subject to one of negative confirmation and positive confirmation". Since the combination as presented provides positive confirmation it clearly teaches subjecting the invoice to **one of** positive and negative.

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Secondly, Examiner notes that there is nothing in the combination that limits the confirmation from being by the original requestor. In fact there is no way to control this feature. If the a person from the accounts payable was the original requestor then that person would be the one in charge of the confirmation.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Kramer whose telephone number is (571) 272 6783. The examiner can normally be reached on Monday - Friday (8AM - 5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272 6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James A. Kramer
Examiner
Art Unit 3627

jak

Michael Cuff 11/22/05
MICHAEL CUFF
PRIMARY EXAMINER